

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

LORETTA MURRAY, <i>et al</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:04-CV-501
)	(PHILLIPS/GUYTON)
CITY OF HARRIMAN, <i>et al</i> ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the undersigned pursuant to 28 U.S.C. § 636(b), the Rules of this Court, and by the Order [Doc. 87] of the Honorable Thomas W. Phillips, United States District Judge, for disposition of the following motion: Plaintiffs' Evidence in Support of Motion for Order of Protection [Doc. 99].

This Court must apply "less stringent standards" when evaluating whether a pro se pleading states a claim for which relief can be granted. Pilgrim v. Littlefield, 92 F.3d 413, 416 (6th Cir. 1996) (citing Estelle v. Gamble, 429 U.S. 97, 106 (1976)); see also Wolfel v. United States, 711 F.2d 66, 67 (6th Cir. 1983) (noting that pro se litigants should be accorded a measure of leniency to assure "[t]hat meritorious claims will not be dismissed for inartful draftsmanship"). Accordingly, this Court construes Plaintiffs' Evidence in Support of Motion for Order of Protection [Doc. 99] as a Motion for Reconsideration of this Court's previous Order [Doc. 94], denying as moot Plaintiffs' Emergency Motion for an Order of Protection [Doc. 85].

Defendants' response [Doc. 101] demonstrates that Defendants also construed Plaintiffs' Motion [Doc. 99] as a motion for an order of protection. Defendants correctly noted that this Court previously ruled upon Plaintiffs' Motion for an Order of Protection [Doc. 94]. Defendants rightfully assert that Plaintiffs have failed to present any new evidence to the Court. Defendants' response also includes a request for costs incurred in defending Plaintiffs' Motion [Doc. 99].

As the Plaintiffs have failed to offer any new facts or law which would alter the previous ruling of this Court, Plaintiffs' Evidence in Support of Motion for Order of Protection [Doc. 99], which has been construed as a Motion for Reconsideration of this Court's previous Order [Doc. 94], is **DENIED**. Further, the Court reserves ruling on Defendants' request for an award of costs incurred in responding to Plaintiffs' Motion, pending completion of the case.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge